



BRUNSWICK CITY COUNCIL AGENDA

Brian Ousley At-Large	Alex Johnson At-Large	Michael Abella Jr. Ward 1	Kenneth Fisher Law Director	Carl S. DeForest City Manager	Ron Falconi Mayor	Barbara Ortiz Council Clerk	Patricia Hanek At-Large	Joseph Salzgeber Ward 3	Anthony Capretta Ward 4	Nicholas Hanek Ward 2
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Administration Representatives

MAY 8, 2017

1. Prayer and Pledge of Allegiance
2. Roll Call of Members
3. Correspondence
4. Approval of regular Council Meeting Minutes dated April 24, 2017.
 - (a) Council Meeting Minutes dated April 24, 2017.
5. Mayor's Report:
 - (a) Mayor's Court Financial Report for the month ending April 2017 will be posted on the website and added to the minutes for the record;
 - (b) Proclamation to Designate May 19-20, 2017 as Buddy Poppy Days;
 - (c) Proclamation for the Month of May as Business Appreciation Month in the City of Brunswick.
 - (d) Motion to approve the Mayor's recommendation to reappoint Peter Lukic to the Ethics Board;
 - (e) Mayor's recommendation to appoint John C. Egan to the Building Board Code of Appeals;
 - (f) Mayor's Update
6. Clerk of Council's Report
7. Council Committee Reports:

Economic Development.....Mr. Johnson

Services, Utilities, Technology & Cable.....Mr. Salzgeber

(37) Services Committee Meeting Minutes dated April 24, 2017

Finance Committee.....Mrs. Hanek

Safety & Environment.....Mr. Hanek

Planning & Zoning Committee.....Mr. Ousley

(41) Planning & Zoning Committee Meeting Minutes dated April 20, 2017

Parks, Recreation & Community Committee.....Mr. Abella Jr.
Building & Building Code Committee.....Mr. Capretta

8. Other Boards and Commissions

(a) Committee of the Whole Meeting Minutes dated April 24, 2017

9. Petitions from the Public on Legislation

10. Reading of Legislation and Action on Legislation:

a. 3rd Reading(s)

RES. NO. 28-17 - A resolution designating the Month of May 2017 as Local Business Appreciation and Economic Development Month in the City of Brunswick - **3rd Reading** (Economic Development Committee, *Administration/Alex Johnson*)

b. 2nd Reading(s)

c. 1st Reading(s)

ORD. NO. 32-17 - An ordinance establishing Section 1440.27 of the City of Brunswick Codified Ordinances by providing for Residential Rental Dwelling Unit Registration - **1st Reading** (To be brought from Building & Building Code Committee, *Administration/Ken Fisher*)

RES. NO. 33-17 - An emergency resolution authorizing the City Manager to enter into an agreement with Specialized Construction, Inc. for the 2017 Asphalt Road Program in an amount not to exceed \$138,920.00 - **1st Reading** (To be brought from Services, Utilities, Technology & Cable Committee, *Administration/Matt Jones*)

RES. NO. 34-17 - An emergency resolution authorizing the City Manger to enter into an agreement with Konstruction King, Inc. for the 2017 Concrete Repair Program in an amount no to exceed \$571,120.00 - **1st Reading** (To be brought from Services, Utilities, Technologies & Cable Committee, *Administration/Matt Jones*)

ORD. NO. 35-17 - An ordinance establishing the position of Part-Time Lifeguard Opener in the Department of Parks and Recreation - **1st Reading** (To be brought from Parks, Recreation & Community Committee, *Administration/John Piepsny*)

ORD. NO. 36-17 - An ordinance establishing the pay range for the position of Part-Time Lifeguard Opener in the Department of Parks and Recreation - **1st Reading** (To be brought from Parks, Recreation & Community Committee, *Administration/John Piepsny*)

11. City Manager's Report
12. Administrative Departments
13. Open Forum
14. Unfinished Business
15. New Business
 - (a) Consideration of a stock liquor permit for Moran Foods LLC, DBA Save A Lot, located at 1085 Pearl Road, Brunswick, Ohio 44212.
16. Adjournment

May 1, 2017

TO: CITY COUNCIL
FROM: CLERK OF COURTS
RE: MONTHLY REPORT TO COUNCIL PER O.R.C.
FOR THE MONTH OF APRIL 2017

WAIVERS/COURT/BONDS

DEPOSITS (April) 49,012.60

DEBITS (April) (48,067.60)

Checks to be written in April:

Treasurer State of Ohio	\$ 7,745.00
City of Medina MIATF	\$ 100.00
City of Medina IDATF	\$ 241.00
City of Brunswick Finance Dept/Police Fund *	\$ 36,635.29
Misc Checks (bond refunds & transfers/restitution)	<u>\$ 3,346.31</u>
TOTAL for the month	\$ 48,067.60

*Check includes amounts to: Court Computer Fund and Education & Enforcement Fund

Service Charges/Fees for prior month	\$ 433.71
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MAYOR RONALD FALCONI



TERESA BENO, CLERK OF COURTS

**APPLICATION FOR
BOARDS AND COMMISSIONS**

NAME Peter Lukic PHONE _____

STREET 2910 Elmer Drive CELL (216) 269-1325

Years of Residency 19 Registered Brunswick Voter: YES X NO _____

POSITIONED DESIRED: Ethics Board EMAIL phrogz4evr@gmail.com

EDUCATION	DEGREE	YEAR GRADUATED
HIGH SCHOOL <u>Max S. Hayes Vocational High School</u>	<u>Diploma</u>	<u>1977</u>
COLLEGE <u>Cleveland St. Univ. / Cuyahoga Comm. College</u>	<u>Incomplete</u>	<u>N/A</u>
SPECIAL TRAINING <u>United States Marine Corps</u>	<u>Various Schools</u>	

CURRENT EMPLOYMENT

Company	Address	Title	Dates
<u>U. S. Postal Service</u>	<u>3955 Center Rd Brunswick, OH 44212</u>	<u>Letter Carrier</u>	<u>2005 to Present</u>

RELEVANT PAST EMPLOYMENT

Company	Address	Title	Dates
Company	Address	Title	Dates

RELEVANT PROFESSIONAL ASSOCIATIONS, COMMUNITY SERVICE, OR SOCIAL AFFILIATIONS

United States Marine Corps 1977 -1984

Top Secret Security Clearance

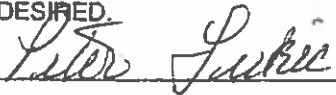
REFERENCES (other than relation):

	NAME	ADDRESS	PHONE
1.	<u>Lori Werner</u>	<u>2910 Elmer Dr. Brunswick, 44212</u>	<u>(216) 903-7943</u>
2.	<u>Jack Boehm</u>	<u>2901 Elmer Dr. Brunswick, 44212</u>	<u>(330) 273-2808</u>
3.	<u>Jim Johnson</u>	<u>3955 W.58th St. Cleveland, 44102</u>	<u>(216) 633-2645</u>

QUALIFICATIONS AND DESIRE FOR SERVING: (Attach sheet if needed*)

I am a current member of the Ethics Boards and have served since 2010. I would like to
continue to serve the citizens of Brunswick for another term.

ATTACH RESUME IF DESIRED

Signature:  Date: 30 March 2017

*Attaching a cover letter or resume describing particular experience or qualifications bearing on the position sought is recommended, but not required.
(AA, EE0C)

**APPLICATION FOR
BOARDS AND COMMISSIONS**

NAME JOHN C EGAN PHONE 330-273-3836
STREET 3073 HOLLY DR CELL 216-780-3534

Years of Residency 38

Registered Brunswick Voter: YES X NO

POSITIONED DESIRED: BUILDING BOARD OF APPEALS EMAIL OHIOGOODGUYS@YAHOO.COM

EDUCATION

DEGREE YEAR GRADUATED

HIGH SCHOOL VALLEY FORGE HS DIPLOMA 1967 1992

COLLEGE CUYAHOGA COMMUNITY COLLEGE ASSOCIATES IN REAL ESTATE

SPECIAL TRAINING IBEW LOCAL 38 TATC TOURNEY MAN ELECTRICIAN 1981

CURRENT EMPLOYMENT

LOFASO REAL ESTATE SERVICES 4118 CENTER RD BROKER 1/1/15 TO PRESENT

Company

Address

Title

Dates

RELEVANT PAST EMPLOYMENT

IBEW LOCAL 38 1590 E 23RD ST CLEVELAND TOURNEY MAN 8/77-7/05

Company

Address

Title

Dates

Company

Address

Title

Dates

RELEVANT PROFESSIONAL ASSOCIATIONS, COMMUNITY SERVICE, OR SOCIAL AFFILIATIONS

MEDINA BOARD OF REALTORS ST AMBROSE CHURCH CURRENTLY
AM INVOLVED IN EUCHARISTIC MINISTERS, ACCOLYTE, COUPLE TO
COUPLE MINISTRY, WELCOMING COMMITTEE

REFERENCES (other than relation):

- | NAME | ADDRESS | PHONE |
|---------------------------|----------------------------------|---------------------|
| 1. <u>BRIAN BUSLEY</u> | <u>3185 LAUREL RD BRUNSWICK</u> | <u>440-666-2938</u> |
| 2. <u>SAM LOFASO</u> | <u>3377 JAMES BLVD BRUNSWICK</u> | <u>440-342-2945</u> |
| 3. <u>FATHER BOB STEC</u> | <u>929 PEARL RD BRUNSWICK</u> | <u>330-460-7300</u> |
| <u>STAN SOCHA</u> | <u>66 WOODHOLLOW BRUNSWICK</u> | <u>330-725-9170</u> |

QUALIFICATIONS AND DESIRE FOR SERVING: (Attach sheet if needed*)

SEE ATTACHED

ATTACH RESUME IF DESIRED.

Signature: [Signature]

Date: 4/17/17

*Attaching a cover letter or resume describing particular experience or qualifications bearing on the position sought is recommended, but not required.
(AA, EE0C)

I have been married to Charlene since April 16, 1977. We had one son who unfortunately passed almost 2 years ago. I have been a resident of Brunswick since 1978 and have watched our city grow from a sleepy little burgh to the bustling city it is now. Shortly before moving here I began my apprenticeship as an inside wireman with IBEW local 38, graduating in 1981, and finally retiring in 2005. I was able to work various forms of construction from new builds to total remodels. In 1985, I decided to expand my horizons and became a licensed realtor. There I've dealt with the sale of existing homes and new builds. In 2008 after completing my course work I became a licensed Broker in the State of Ohio.

I feel my varied background in construction and real estate give me the background to accomplish the job I'm applying for. After all these years in the city it is my desire to give back of my talents and time. If there are any questions feel free to give me a call.

John Egan

SERVICES, UTILITIES, TECHNOLOGY & CABLE COMMITTEE

April 24, 2017

IN ATTENDANCE: Chairman Joseph Salzgeber, Committee Member Brian Ousley, Committee Member Nicholas Hanek, Alex Johnson, Patricia Hanek, Acting City Manager/Safety Director Chief Carl DeForest, Finance Director Todd Fischer, Street Superintendent Ryan Lutz, Law Director Kenneth Fisher, Engineer Matt Jones, Chief Jim Baird, Administrative Services Julie Murawski, Council Clerk Barbara Ortiz, News Media.

The meeting convened at 7:12 p.m.

REVIEW LEGISLATION:

RES. NO. 31-17 – An emergency resolution authorizing participation in the Ohio Department of Transportation winter contract for road salt for the 2017-18 winter season

Mr. Lutz advised this legislation authorizes participation in the Ohio Department of Transportation (ODOT) winter contract for 2017-2018 road salt.

The reason for emergency legislation is that the paper work is due back to ODOT by May 10, and the Administration just received the paperwork from ODOT.

Mr. Hanek moved this resolution to tonight's Council Agenda of April 24, 2017 as an emergency with suspension of the rules. Vote – 3 Ayes, 0 Nays.

GENERAL DISCUSSION:

Mr. Fisher commented on the salt that was sold to Hinckley they needed the salt, the City received what they paid for it, and it made room in the storage shed for next season.

ADJOURNMENT:

Being no further business, Mr. Hanek moved to adjourn at 7:15 p.m. Vote – 3 Ayes, 0 Nays.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'J. Salz', with a stylized flourish at the end.

Joseph Salzgeber
Chairman

Brunswick City Planning & Zoning

April 20, 2017

IN ATTENDANCE: Chairman Brian Ousley, Committee Member Nicholas Hanek, Committee Member Patricia Hanek, Community & Economic Development Director Grant Aungst, Engineer Matt Jones, Planning & Zoning Coordinator Pam Plavecski, Assistant Law Director Santo Incorvaia, Matt Flynn, Resident Mr. Krist, News Media.

The meeting convened at 6:05 p.m.

Mr. Ousley announced there was a change to the agenda and the first item for discussion will be addressing drainage issues from the new Shire Apartment development.

Mr. Jones advised this discussion ended up in this committee due to the several calls he received as to how planning and zoning codes apply to what was going on at the new Shire Apartment development. Mr. Jones advised he was contacted by Mr. Krist, a resident residing at 4154 Blossom Court. Mr. Krist had specific questions and concerns about the impact that the proposed development will have on property that he owns not only on Blossom Court, but he also owns an additional long narrow stretch of property between Blossom Court and Cherry Street. Mr. Jones noted one of the two main drainage outlets from what is going to be Shire Apartments drains to that.

Additionally, Mr. Jones pointed out Oxford Heights Condominiums are immediately adjacent to the new Shire development, and the drainage from there goes into a pipe that goes across a very narrow portion of the Shire property and runs across Judita Drive and drains into the narrow piece of property owned by Mr. Krist. Per the current code the site will have storm sewers draining to a detention basin on the Shire property, and it has to meet the City's requirements for stormwater outflow. The peak flows leaving the site will be greatly reduced for the bigger storms so the net impact on Mr. Krist's property will be an improvement.

Prior to Mr. Krist purchasing the long narrow piece of property, Mr. Ousley asked if it was being used as a stormwater control area to flow somewhere else.

Mr. Jones did not know the exact history behind the long narrow property other than the property was earmarked to be a homeowner's association area, and stormwater was designed to flow into it. Mr. Jones noted so a portion of it was earmarked and designed as a place for stormwater to flow, Mr. Jones noted the property is long and narrow and has a significant fall to it.

Mr. Ousley asked Mr. Krist if he had any plans for the property, and Mr. Krist indicated it was undevelopable.

Mr. Krist stated he had a lot of concerns, he advised the lay of the land was changing and is concentrated with water, and wetlands; he was gardening on it however it is now too wet to do that, his concern is with the amount of water he already gets and now it might increase. Mr. Krist advised he has copies of the City's riparian ordinances.

Mr. Jones noted the comprehensive stormwater management plan is currently being reviewed for this site, and has not yet been approved, and he noted nothing can be constructed on the site until the comprehensive stormwater management plan is approved by him. He noted the only thing that has been done on the site was the clearing of trees. Mr. Jones noted the comprehensive stormwater plans have been submitted and he can forward them to Mr. Krist.

Mr. Ousley thought once the comprehensive plan is in place this could be discussed further. Also he asked if Mr. Jones thought there was going to have to be changes in the code to help Mr. Krist.

Mr. Jones stated he did not think so; he noted the code was set up very well to benefit Mr. Krist in this case. Mr. Jones noted there has been an increase in runoff however that is likely due to the increased rainfall everybody else is seeing. Mr. Jones noted there have not been any other changes up stream of Mr. Krist that would be impacting the amount of runoff hitting the site.

Mr. Ousley asked if this discussion should stay in this committee or be moved to Building & Building Code.

Mrs. Hanek noted the administration was working on this and they should continue, codes were in place and Mr. Jones was taking care of this.

In closing, Mr. Krist stated he wants to be proactive, and he would like to look at the plans; Mr. Jones advised he will forward the current design with the understanding they are not yet approved.

DISCUSSION AS TO WHETHER CULTIVATORS, PROCESSORS AND/OR RETAIL DISPENSARIES OF MEDICAL MARIJUANA WILL BE PERMITTED IN THE CITY AND IF SO THE ZONING DISTRICTS WHERE PERMITTED:

Mr. Ousley noted when this was talked about in the past the committee did not want dispensaries coming to town, the committee also talked about the cultivators and processors going into the industrial park. Mr. Ousley noted that the state was still working on regulations.

At this time, Mr. Ousley introduced Matt Flynn he is with North Coast Health and he may be interested in bringing his business to Brunswick or another community.

It was asked if the state had finalized anything and Mr. Incorvaia noted the preliminary items have been sent to the legislative committee for finalization and the amount of space for cultivation was determined.

Mr. Hanek brought up the company in the industrial park that does processing.

To that, Mr. Aungst noted the company does not process anything that is illegal, they are in the coating and laminating business, and they are exploring the potential if this moves forward that they will be a medical processor in a clean facility, and a manufacturer of a final product.

Mrs. Hanek indicated she requested this item on the agenda for discussion. She referred to a memorandum dated September 2, 2016 from the Law Director, the memorandum indicated a timeline of May 6, for the Department of Commerce to establish standards and procedures for cultivator licensing. Also, the Law Director recommended that the City commence discussion relative to whether cultivators, processors, and or retail dispensaries will be prohibited or limited in the City, and if any or all are not prohibited, the zoning districts in which same will be permitted.

It was clear to Mr. Hanek that since there is a company interested in the processing aspect it would be limited to the IL district, further he did not think dispensing was appropriate anywhere in the state. Cultivation would only be possible in the IL district; to him it made no sense to put it in CG district. The problem in the IL district is with the type of facilities that have been allowed, and the changes in the big box industrial buildings. Further from an economic perspective it would not be a good use for an industrial facility to him a rural area would be better for a cultivator.

Matt Flynn of 3825 St. Nicholas Drive Richfield, Ohio - Mr. Flynn advised the state has given three zoning areas; agricultural, industrial, and light industrial, the price per square foot in

industrial space would be more than agricultural space, but the fact of the matter is there are very few cities in the state that allow this. The ones that do accept it are the ones that will be benefitting from the economic development aspect. He noted there are very few cities to choose from, so the price per square foot would not make or break the business. He noted there are few cities in the state that will allow licensed facilities.

Mr. Hanek commented that the IL district contains an athletic facility, gymnastic facility, and a number of young sports facilities, and he does not see the logic of having a cultivation site there he does not see it working.

Mr. Ousley noted the processor is taking the product from the cultivator and is using the product in the industrial park.

Mr. Flynn indicated the state has rules regarding schools, parks, and churches, the facility has to be 500 feet from the address, and the federal law is 1,000 feet away. Mr. Flynn noted they would not want to set up their license even within 1,000 feet of any educational facility.

Mr. Ousley noted in the City the gymnastic facilities are in the northern IL district, so the best place for a facility would be in the southern IL district, however Mr. Aungst interjected the southern IL is close to religious organizations.

Mr. Incorvaia noted there are a few communities that will zone to allow this, he noted the issue is not demand because a community will allow it, he noted when looking at any type of economic development you want to look at the type of revenue it will bring in, if they are clean jobs, and a clean facility.

Mr. Aungst interjected from an economic standpoint you have to look at the business being compatible with the other businesses the community already has, and being considerate of the neighboring community. Also, Mr. Aungst commented from an economic standpoint, he would rather have someone producing the plastic containers that a pharmaceutical company uses than having a cultivator use a 50,000 square foot space, and with all due respect to Mr. Flynn he understands that price may not be a factor, but it always is, other cultivators that have called and started negotiating with landlords in the industrial park they cannot afford it. With that said Mr. Aungst noted the best use and most effective for an industrial area has to be looked at and Council will have to conclude if the business is conducive to the

environment, and the community.

Mr. Ousley asked Mr. Aungst about the businesses that have approached him, if they have given any indication as to the number of people they would be employing.

To that, Mr. Aungst indicated according to who he has talked to the employment would be very low, there would be up to three people at most in the building and the majority of the people would be off site. They potentially could show on their balance sheet a decent payroll after two or three years with a maximum of three million in payroll, however the reality is that everyone he has talked to flat lines after that.

Mr. Ousley noted the main thing is not about the payroll, it is about the health of people that are affected by needing this new wave of medical to help take care of their problems.

Mr. Aungst interjected; they cannot get that until they have a finished product. He noted there is a company in the City that potentially could produce a finished product, and there could be others, but not necessarily cultivators.

Mr. Ousley asked Mr. Flynn what they were planning for, and Mr. Flynn responded they would be looking for a level two cultivation, which is 3,000 square feet, which can expand to 6,000 and 9,000 after the state evaluates supply and demand for the market. After one year of operation the state would go back and review the supply and demand for the market and will issue more square footage. As far as the number of employees, Mr. Flynn indicated they would have ten full time employees for a 3,000 square foot facility, and for every 3,000 square feet they would hire another ten people full time. Potentially his license could produce 30 full time employees over time as expansions become issued. Mr. Flynn indicated they were looking for at least a 12,000 square foot facility for cultivation.

Mr. Hanek commented Brunswick does not have a problem bringing in businesses, the City has an attractive location, and it would be an attractive location from a distribution thought process, and if the City did not have businesses that wanted to come in it may be different.

Mr. Hanek commented that the City is growing and to him cultivation would be an impractical misuse of space, and from his perspective he would not permit cultivation in any district in the City. He was not making any judgement on the technology of the processing. He asked about a moratorium or zoning regulation, expressly not permitting cultivation in any district in

the City.

The committee discussed processing and the making of a final medical product, the idea of having processing as a conditional use and the involvement of the Planning Commission.

Mr. Ousley brought up cultivation and the involvement of Planning Commission, and the committee interjected they were talking about processing not cultivating.

Mrs. Hanek pointed out standards and procedures for cultivating are supposed to be in place by May 6, she asked Mr. Incorvaia if the City should wait till then.

Mr. Incorvaia noted it was not a problem to wait; some communities are getting on board and are looking at it from the standpoint of opening their doors for the businesses that will be involved and designating areas to stimulate economic development. He noted the City has to make a policy decision.

It was noted by Mr. Flynn there are very few communities opening their doors.

Mrs. Hanek asked if a motion can be made to prohibit or limit medical marijuana.

Mr. Aungst noted the cities of Wadsworth and Medina have moratoriums.

Mr. Hanek commented being a business owner he knows how important it is as to what businesses are around you, he stressed the importance of businesses complimenting each other, and he does not see how businesses in the industrial park would collaborate with this type of business.

Mr. Flynn interjected the company that already exists in Brunswick was planning to apply for a processors license but would have to get approval from the City, and he indicated they would complement his company because they would hope to be doing business with them.

Mr. Hanek wished Mr. Flynn luck, however he did not think his business would fit in Brunswick.

Mrs. Plavecski commented there were a lot of people that want to go into the industrial park, and she questioned this being the best use of property and that it may have a negative effect on the existing businesses, or new businesses that want to come into the industrial park that have a high employee base.

Mr. Ousley commented there could be a negative impact around the entire industry because it is brand new; no one knows what is going to happen. He expressed not knowing if the City should be in the front line, or if five years from now is the City going to say we should have been there.

At this time, Mr. Hanek moved to refer to the law department for legislation to effectively ban retail dispensaries in the City. Vote - 3 Ayes, 0 Nays.

Mr. Hanek made a second motion; he moved to ban cultivation citywide. Vote - 3 Ayes, 0 Nays.

Prior to the vote Mr. Aungst stated Brunswick was a very strong bedroom community with a lot of residents both multifamily, single family, and rentals, and he did not think anybody would want a cultivation facility in any GC district or CO district.

Mr. Ousley commented how this has been difficult, he believes there are people that need medical marijuana and it is something that is going to happen whether the City is behind it or not, and he wishes everyone that wants to bring these businesses to communities that they do well because they are to help sick individuals, and that is the bottom line. It is not about tax revenue although that is a plus, everyone keeps talking economics and it would bring some jobs and some jobs are better than no jobs. However, he understands where the committee is with this.

At this time, Mr. Hanek indicated he has a third motion for processing, he stated there is a company in Brunswick that would and could do this kind of processing. He asked the law department to draft legislation to make the usage conditional in the IL District, and figure out proposed definitions of what the processing actually entails, but limit processing in the IL District.

Mrs. Hanek asked about setbacks.

Mr. Hanek interjected the law department would look at the guidelines put out by the State of Ohio, and incorporate that in the said legislation.

Mr. Ousley asked if it should be conditional.

Mr. Aungst wanted to be sure that Mr. Hanek was clearly stating that there was no processing in any other part of the City.

Answering in the affirmative, Mr. Hanek clarified by saying the IL District it excludes all other districts.

Clarifying the motion that was made by Mr. Hanek, Mr. Incorvaia noted by legislation make it a conditionally permitted use in the IL District subject to any state or federal regulations in terms of setbacks for processing.

Additionally, Mr. Hanek stated the intent is looking at defining what the City would require in terms of processing; specifically in terms of finalization of an end product.

Mr. Incorvaia noted the City's definition of processing might be narrower than the states definition.

Mrs. Hanek noted at this point in time they did not know what the definition may or may not be for a processor.

Mr. Incorvaia noted what the committee was looking for was for a finished product that could be shipped to a distributor.

Mr. Hanek commented on the existing business that has shown interest that the City does not have concerns about and the City believes there would be actual jobs created for this.

Mr. Aungst mentioned some challenges that could arise, he noted since this would be a medical product it could involve setting up an operation within an operation or in a different building with FDA clean room guidelines to follow, noting it could be quite an investment.

Mr. Incorvaia interjected there are certain requirements under the code for processing, also a license to cultivate, process, and distribute is extremely expensive.

Mr. Hanek noted additionally he was interested in the conditional aspect, and he was certain there would be additional vetting by the Planning Commission on terms of safety.

Mr. Aungst asked for clarification if this motion was to send this to the law department to make a recommendation, and Mr. Hanek clarified the motion was a recommendation to the law department, he noted it could take some time to narrow down and define as far as processing.

Mr. Aungst just wanted to be clear that it could be the law department's recommendation or the collective recommendation once reviewing the documents back to the committee, and or Council that it not move forward.

Mr. Incorvaia noted the law department will draft legislation based on the committee's discussion.

Mr. Ousley noted the rough time for processor rules adopted is September 8.

At this time, Mr. Hanek restated the motion; He moved to make a recommendation to the Law Department to draft legislation making the processing of the end product of medical marijuana (which the terminology may have to be redefined depending on the state guidelines) in the IL District a conditionally permitted use, thereby excluding all other districts and following all state regulations here and therefore. Vote - 3 Ayes, 0 Nays.

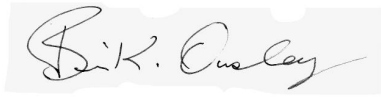
GENERAL DISCUSSION:

There was none.

ADJOURNMENT:

Being no further business, Mrs. Hanek moved to adjourn at 7:00 p.m. Vote - 3 Ayes, 0 Nays.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "B. Ousley", is written on a light gray rectangular background.

Brian Ousley
Chairman

COMMITTEE OF THE WHOLE MEETING

April 24, 2017

IN ATTENDANCE : Vice Mayor Patricia Hanek, Joseph Salzgeber, Brian Ousley, Nicholas Hanek, Alex Johnson, Michael Abella Jr., Anthony Capretta, Acting City Manager/Safety Director Chief Carl DeForest, Law Director Kenneth Fisher, Chief Jim Baird, Engineer Matt Jones, Finance Director Todd Fischer, Street Superintendent Ryan Lutz, Administrative Services Julie Murawski, Council Clerk Barbara Ortiz, News Media.

The meeting convened at 7:15 p.m.

GENERAL DISCUSSION:

There was none.

EXECUTIVE SESSION:

Mr. Hanek moved to go into Executive Session for the purpose to discuss the appointment, employment, dismissal, discipline, demotion or compensation of a public employee, seconded by Mr. Salzgeber. Roll Call – Ayes – 7, Mr. Hanek, Mr. Salzgeber, Mr. Abella, Mr. Capretta, Mr. Johnson, Mrs. Hanek, Mr. Ousley. Nays - 0. Motion Carried.

Mr. Capretta moved to adjourn out of Executive Session, seconded by Mr. Hanek. Roll Call – Ayes – 7, Mrs. Hanek, Mr. Hanek, Mr. Ousley, Mr. Johnson, Mr. Abella, Mr. Capretta, Mr. Salzgeber. Nays – 0. Motion Carried.

ADJOURNMENT:

Being no further business, Mr. Salzgeber moved to adjourn the Committee of the Whole meeting at 7:18 p.m. Vote – 7 Ayes, 0 Nays.

Respectfully submitted,



Valerie Zak
Assistant Clerk of Council

THE CITY OF BRUNSWICK

PROPOSED LEGISLATION



DATE: 05/08/2017

TO: Vice Mayor Patricia Hanek and Members of City Council

FROM: Carl S. DeForest, Acting City Manager

COPY: Mayor Ron Falconi

LEGISLATION: **RES. NO. 28-17** - A resolution designating the Month of May 2017 as Local Business Appreciation and Economic Development Month in the City of Brunswick - **3rd Reading** (Economic Development Committee, *Administration/Alex Johnson*)

BACKGROUND: Historically City Council has designated the month of May as local business appreciation month to express the City's appreciation to the businesses of the community for the support and services they provide to the citizens and for the part they play in making Brunswick a great community.

PURPOSE AND EXPLANATION: This resolution would dedicate the month of May 2017 as Local Business Appreciation and Economic Development Month in the City of Brunswick.

IMPLEMENTATION SCHEDULE: Three Readings and adopt on May 8, 2017.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY:

RECOMMENDED ACTION:

One Reading	No
Two Readings	No
Three Readings	Yes
Emergency	No
Suspension of Rules	No

If emergency or suspension of the rules, why the request?
Three readings and adopt on May 8, 2017.

ADDITIONAL INFORMATION:

CITY OF BRUNSWICK, OHIO
RESOLUTION NO.

BY: Mr. Johnson, Mrs. Hanek and Mr. Abella

A RESOLUTION DESIGNATING THE MONTH OF MAY 2017 AS LOCAL
BUSINESS APPRECIATION AND ECONOMIC DEVELOPMENT MONTH
IN THE CITY OF BRUNSWICK.

WHEREAS: A strong local business base is a major factor in the success and growth of any city;

WHEREAS: Brunswick City Council wishes to acknowledge the positive impact that Brunswick business owners and operators have on our City's economy and thank them for their involvement and sponsorship of local youth and adult sports activities, charitable causes and community events; and

WHEREAS: Brunswick City Council wishes to express its appreciation to the Brunswick business community for the support and services it provides to the citizens of the City and for the part they play in making Brunswick a "Community of Excellence".

WHEREAS: THE COUNCIL OF THE CITY OF BRUNSWICK HEREBY RESOLVES:

SECTION 1: That in appreciation of the business community's commitment to Brunswick's residents and our City's economic growth, Council wishes to declare the month of May 2017 as Local Business Appreciation and Economic Development Month and encourage its citizens to support our local businesses.

SECTION 2: That this Resolution shall take effect and be in force from and after the earliest period allowed by law.

PASSED: 1st Reading _____

2nd Reading _____

3rd Reading _____

ADOPTED: _____ AYES __ NAYS

ATTEST: _____
Clerk of Council
Barbara J. Ortiz, CMC

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 28-17

BY: Mr. Johnson, Mrs. Hanek and Mr. Abella

A RESOLUTION DESIGNATING THE MONTH OF MAY 2017 AS LOCAL
BUSINESS APPRECIATION AND ECONOMIC DEVELOPMENT MONTH
IN THE CITY OF BRUNSWICK.

WHEREAS: A strong local business base is a major factor in the success and growth of any city;

WHEREAS: Brunswick City Council wishes to acknowledge the positive impact that Brunswick business owners and operators have on our City's economy and thank them for their involvement and sponsorship of local youth and adult sports activities, charitable causes and community events; and

WHEREAS: Brunswick City Council wishes to express its appreciation to the Brunswick business community for the support and services it provides to the citizens of the City and for the part they play in making Brunswick a "Community of Excellence".

WHEREAS: THE COUNCIL OF THE CITY OF BRUNSWICK HEREBY RESOLVES:

SECTION 1: That in appreciation of the business community's commitment to Brunswick's residents and our City's economic growth, Council wishes to declare the month of May 2017 as Local Business Appreciation and Economic Development Month and encourage its citizens to support our local businesses.

SECTION 2: That this Resolution shall take effect and be in force from and after the earliest period allowed by law.

PASSED: 1st Reading _____

2nd Reading _____

3rd Reading _____

ADOPTED: _____ AYES __ NAYS

ATTEST: _____
Clerk of Council
Barbara J. Ortiz, CMC

THE CITY OF BRUNSWICK

PROPOSED LEGISLATION



DATE: 05/08/2017

TO: Vice Mayor Patricia Hanek and Members of City Council

FROM: Carl S. DeForest, Acting City Manager
Ken Fisher

COPY: Mayor Ron Falconi

LEGISLATION: **ORD. NO. 32-17** - An ordinance establishing Section 1440.27 of the City of Brunswick Codified Ordinances by providing for Residential Rental Dwelling Unit Registration - **1st Reading** (To be brought from Building & Building Code Committee, *Administration/Ken Fisher*)

BACKGROUND: Building & Building Code Committee has recommended that residential rental dwelling unit registration regulations be registered with the City. Registration will provide the city with property owner contact information and identify residential rental units in the City.

PURPOSE AND EXPLANATION: To establish residential rental dwelling unit registration regulations by establishing Section 1440.27 of the City of Brunswick Codified Ordinances.

IMPLEMENTATION SCHEDULE: First reading on May 8, 2017.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY:

RECOMMENDED ACTION:

One Reading	No
Two Readings	No
Three Readings	Yes
Emergency	No
Suspension of Rules	No

If emergency or suspension of the rules, why the request?
Recommendation for three readings.

ADDITIONAL INFORMATION:

1
CITY OF BRUNSWICK, OHIO
ORDINANCE NO. _____

BY:

AN ORDINANCE ESTABLISHING SECTION 1440.27 OF THE CITY OF
BRUNSWICK CODIFIED ORDINANCES BY PROVIDING FOR
RESIDENTIAL RENTAL DWELLING UNIT REGISTRATION.

WHEREAS: To preserve and maintain the public health, safety and welfare, the Building & Building Code Committee of Council has recommended that residential rental dwelling unit registration regulations be promulgated as provided herein; and

WHEREAS: The residential rental dwelling unit registration regulations as provided herein are in the best interest of the public health, safety and welfare as they will provide the City with property owner contact information and identify residential rental dwelling units in the City.

WHEREAS: THE COUNCIL OF THE CITY OF BRUNSWICK HEREBY ORDAINS:

SECTION 1: That Section 1440.27 of the Codified Ordinances titled "Residential Rental Dwelling Unit Regulations" is hereby established to read as follows:

(a) Residential Rental Dwelling Unit Registration. After the effective date of this Section, it shall be unlawful for the owner, agent, or person in charge of any single, duplex or triplex residential rental dwelling unit to rent, lease, or permit any residential rental dwelling unit within said structure to be occupied, without registering same with the Division of Building. Registration shall be made on a form provided by the Division of Building and shall be updated by the owner, agent or person in charge within fifteen days of any change in any information contained therein.

(b) Existing Occupancies. Within thirty days of the effective date of this Section, the owner, agent or person in charge of any single, duplex or triplex residential rental dwelling unit shall submit a Registration to the Division of Building.

(c) Penalty. Any person or entity who violates any provision of this Section shall be guilty of a misdemeanor of the fourth degree.

SECTION 2: That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED: 1st Reading_____

2nd Reading_____

3rd Reading_____

ADOPTED: _____ AYES _____ NAYS _____

ATTEST: _____

Clerk of Council

Barb Ortiz

1
CITY OF BRUNSWICK, OHIO
ORDINANCE NO. 32-17

BY: Mr. Capretta, Mr. Abella and Mr. Ousley

AN ORDINANCE ESTABLISHING SECTION 1440.27 OF THE CITY OF BRUNSWICK CODIFIED ORDINANCES BY PROVIDING FOR RESIDENTIAL RENTAL DWELLING UNIT REGISTRATION.

WHEREAS: To preserve and maintain the public health, safety and welfare, the Building & Building Code Committee of Council has recommended that residential rental dwelling unit registration regulations be promulgated as provided herein; and

WHEREAS: The residential rental dwelling unit registration regulations as provided herein are in the best interest of the public health, safety and welfare as they will provide the City with property owner contact information and identify residential rental dwelling units in the City.

WHEREAS: THE COUNCIL OF THE CITY OF BRUNSWICK HEREBY ORDAINS:

SECTION 1: That Section 1440.27 of the Codified Ordinances titled "Residential Rental Dwelling Unit Regulations" is hereby established to read as follows:

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(b) Existing Occupancies. Within thirty days of the effective date of this Section, the owner, agent or person in charge of any single, duplex or triplex residential rental dwelling unit shall submit a Registration to the Division of Building.

(c) Penalty. Any person or entity who violates any provision of this Section shall be guilty of a misdemeanor of the fourth degree.

SECTION 2: That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED: 1st Reading_____

2nd Reading_____

3rd Reading_____

ADOPTED: _____ AYES _____ NAYS _____

ATTEST: _____

Clerk of Council

Barb Ortiz

THE CITY OF BRUNSWICK

PROPOSED LEGISLATION



DATE: 05/08/2017

TO: Vice Mayor Patricia Hanek and Members of City Council

FROM: Carl S. DeForest, Acting City Manager

COPY: Mayor Ron Falconi

LEGISLATION: **RES. NO. 33-17** - An emergency resolution authorizing the City Manager to enter into an agreement with Specialized Construction, Inc. for the 2017 Asphalt Road Program in an amount not to exceed \$138,920.00 - **1st Reading** (To be brought from Services, Utilities, Technology & Cable Committee, Administration/Matt Jones)

BACKGROUND: Authorization for public bid granted by City Council motion on 2/27/17.

PURPOSE AND EXPLANATION: Project will facilitate the performance of asphalt resurfacing and base repairs on portions of Rocklyn Drive, Jefferson Avenue, Ganyard Drive, and Charles Drive. The purpose of the project will be the repair of deteriorated asphalt pavement surface on residential streets. This project is being funded with Road Levy dollars.

IMPLEMENTATION SCHEDULE: The project is anticipated to commence in June and should take 45 days to complete.

FINANCIAL INFORMATION: 2017 Asphalt Road Program - - - 332-0473-56881/332-0473-56883 - - 138920

FINANCIAL SUMMARY: \$138,920.00

RECOMMENDED ACTION:

One Reading	Yes
Two Readings	No
Three Readings	No
Emergency	Yes
Suspension of Rules	Yes

If emergency or suspension of the rules, why the request?

It is requested that legislation is passed by emergency measure with suspension of the rules for the immediate preservation of the public peace, property, health, safety, or welfare, and providing for the usual daily operation of a municipality, and for the further reason that this project may

commence and be completed during the 2017 construction season.

**ADDITIONAL
INFORMATION:**

BID TABULATION**2017 ASPHALT ROAD PROGRAM****CITY OF BRUNSWICK****CVE JOB NO. 17098 DATE: MAY 3, 2017**

Engineer's Estimate \$165,000.00

				SPECIALIZED CONSTRUCTION, INC.		CARRON ASPHALT PAVING, INC.		CHAGRIN VALLEY PAVING, INC.	
ITEM	DESCRIPTION	UNIT	QTY.	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
1	PAVEMENT PLANING	SY	4,100	\$3.00	\$12,300.00	\$2.80	\$11,480.00	\$3.25	\$13,325.00
2	PARTIAL DEPTH REPAIRS	SY	650	\$18.00	\$11,700.00	\$29.90	\$19,435.00	\$27.00	\$17,550.00
3	FULL DEPTH REPAIRS	SY	410	\$48.00	\$19,680.00	\$65.00	\$26,650.00	\$80.00	\$32,800.00
4	SUBBASE REPLACEMENT	CY	50	\$25.00	\$1,250.00	\$75.00	\$3,750.00	\$35.00	\$1,750.00
5	ODOT 882 SINGLE CHIP SEAL	SY	2,900	\$2.30	\$6,670.00	\$2.40	\$6,960.00	\$2.30	\$6,670.00
6	ODOT 882 DOUBLE CHIP SEAL	SY	3,400	\$3.95	\$13,430.00	\$4.00	\$13,600.00	\$3.95	\$13,430.00
7	MASTER SURFACE SEAL	SY	6,300	\$2.20	\$13,860.00	\$2.25	\$14,175.00	\$2.20	\$13,860.00
8	CRACK SEALING	LUMP	1	\$11,250.00	\$11,250.00	\$11,250.00	\$11,250.00	\$11,250.00	\$11,250.00
9	3/4" ODOT 448 ASPHALT CONCRETE INTERMEDIATE COURSE, TYPE 1, PG64-22	TONS	175	\$82.00	\$14,350.00	\$88.00	\$15,400.00	\$118.00	\$20,650.00
10	1-1/4" ODOT 448 ASPHALT CONCRETE SURFACE COURSE, TYPE 1, PG64-22	TONS	290	\$84.00	\$24,360.00	\$81.30	\$23,577.00	\$118.00	\$34,220.00
11	1/2" ODOT 448 ASPHALT CONCRETE INTERMEDIATE COURSE, TYPE 1, PG64-22	TONS	80	\$84.00	\$6,720.00	\$105.75	\$8,460.00	\$118.00	\$9,440.00
12	STABILIZED SHOULDER	CY	30	\$55.00	\$1,650.00	\$99.00	\$2,970.00	\$100.00	\$3,000.00
16	VALVE/MONUMENT BOX ADJUST TO GRADE	EACH	4	\$50.00	\$200.00	\$75.00	\$300.00	\$75.00	\$300.00
17	MISCELLANEOUS METAL	LBS	1,500	\$1.00	\$1,500.00	\$1.00	\$1,500.00	\$1.00	\$1,500.00
TOTAL PROJECT COST				TOTAL	\$138,920.00	TOTAL	\$159,507.00	TOTAL	\$179,745.00
				DAYS TO COMPLETE: 45		DAYS TO COMPLETE: 30 DAYS		DAYS TO COMPLETE: 30 DAYS	
				EARLIEST START DATE: JUNE 1		EARLIEST START DATE: JUNE 15, 2017		EARLIEST START DATE: 8/15/2017	

				CROSS ROADS ASPHALT RECYCLING, INC.		BURTON SCOT CONTRACTORS, LLC	
ITEM	DESCRIPTION	UNIT	QTY.	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
1	PAVEMENT PLANING	SY	4,100	\$2.50	\$10,250.00	\$4.50	\$18,450.00
2	PARTIAL DEPTH REPAIRS	SY	650	\$36.00	\$23,400.00	\$54.00	\$35,100.00
3	FULL DEPTH REPAIRS	SY	410	\$72.00	\$29,520.00	\$73.00	\$29,930.00
4	SUBBASE REPLACEMENT	CY	50	\$65.00	\$3,250.00	\$75.00	\$3,750.00
5	ODOT 882 SINGLE CHIP SEAL	SY	2,900	\$2.30	\$6,670.00	\$2.30	\$6,670.00
6	ODOT 882 DOUBLE CHIP SEAL	SY	3,400	\$3.95	\$13,430.00	\$3.95	\$13,430.00
7	MASTER SURFACE SEAL	SY	6,300	\$2.20	\$13,860.00	\$2.20	\$13,860.00
8	CRACK SEALING	LUMP	1	\$8,000.00	\$8,000.00	\$11,250.00	\$11,250.00
9	3/4" ODOT 448 ASPHALT CONCRETE INTERMEDIATE COURSE, TYPE 1, PG64-22	TONS	175	\$110.00	\$19,250.00	\$150.00	\$26,250.00
10	1-1/4" ODOT 448 ASPHALT CONCRETE SURFACE COURSE, TYPE 1, PG64-22	TONS	290	\$125.00	\$36,250.00	\$153.00	\$44,370.00
11	1/2" ODOT 448 ASPHALT CONCRETE INTERMEDIATE COURSE, TYPE 1, PG64-22	TONS	80	\$150.00	\$12,000.00	\$165.00	\$13,200.00
12	STABILIZED SHOULDER	CY	30	\$75.00	\$2,250.00	\$175.00	\$5,250.00
16	VALVE/MONUMENT BOX ADJUST TO GRADE	EACH	4	\$165.00	\$660.00	\$125.00	\$500.00
17	MISCELLANEOUS METAL	LBS	1,500	\$1.25	\$1,875.00	\$2.00	\$3,000.00
TOTAL PROJECT COST				TOTAL	\$180,665.00	TOTAL	\$225,010.00
				DAYS TO COMPLETE: 30		DAYS TO COMPLETE: 30 DAYS	
				EARLIEST START DATE: JUNE 1, 2017		EARLIEST START DATE: AUGUST 1, 2017	

MEMO

Engineering Department



TO: City Council
FROM: Matthew M. Jones, P.E.
DATE: May 4, 2017
RE: 2017 Asphalt Road Program

On May 3, 2017, public bids were opened for the 2017 Asphalt Road Program. A tabulation of the bid results is attached for your reference. Five companies submitted bids for the project. The low bidder for the project Specialized Construction, Inc. at \$138,920.00. The Engineer's estimate including contingency was \$165,000.00. Carron Asphalt Paving, Inc. was the second low bidder with a bid of \$159,507.00.

This project will facilitate approximately 10,000 square yards of asphalt resurfacing on portions of Rocklyn Drive, Jefferson Avenue, Ganyard Drive and Charles Drive. The bids included allotments for base repairs, stabilized shoulder, and casting adjustments to be used as needed. Crack sealing will also be performed on Keller Hanna Drive, as well as the portions of Hickory Ridge Avenue, Manitoulin Pike and Rocklyn Drive that were resurfaced in 2015 and 2016.

Road levy funds are being utilized to complete the proposed project.

CVE staff has contacted a sampling of municipal references provided by Specialized Construction. The reference check did not find any reoccurring issues with Specialized Construction. Three municipalities were contacted, and all characterized them as an above average contractor.

Based upon a review of the bid documents and other municipal references, it is my opinion that Specialized Construction has the needed experience, personnel and equipment to successfully complete the work as bid and should be considered the lowest and best bidder for this project.

Therefore, I respectfully request that City Council consider emergency legislation to award a contract in the amount of \$138,920.00 to Specialized Construction, Inc. to complete the 2017 Asphalt Road Program.

If you have any questions or require any additional information please contact me at your convenience.

Attachment

C: Carl DeForest, Acting City Manager
Paul Barnett, Service Director
Todd Fischer, Finance Director
Ken Fisher, Law Director

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. _____

BY:

AN EMERGENCY RESOLUTION AUTHORIZING THE CITY MANAGER
TO ENTER INTO AN AGREEMENT WITH SPECIALIZED
CONSTRUCTION, INC. FOR THE 2017 ASPHALT ROAD PROGRAM IN AN
AMOUNT NOT TO EXCEED \$138,920.00.

WHEREAS: The City of Brunswick received five (5) bids for the 2017 Asphalt Road Program (the "Program"), in accordance with public bidding requirements, for asphalt resurfacing and base repairs on portions of Rocklyn Drive, Jefferson Avenue, Ganyard Drive and Charles Drive; and

WHEREAS: The five (5) received public bids were opened on May 3, 2017 with Specialized Construction, Inc. determined to be the lowest and best bidder.

WHEREAS: THE COUNCIL OF THE CITY OF BRUNSWICK HEREBY RESOLVES:

SECTION 1: That the City Manager, with the approval of the Law Director, is hereby authorized and directed to enter into an Agreement with Specialized Construction, Inc., the lowest and best bidder, for the 2017 Asphalt Road Program in an amount not to exceed \$138,920.00.

SECTION 2: That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety or welfare, and for the additional reason that immediate passage is necessary for completion of the Project during the 2017 construction season. Therefore, the same shall be in full force and effect from and after its passage by the required number of votes or from the earliest time allowed by law.

PASSED: 1st Reading _____

Rules Suspended: AYES _____ NAYS _____

ADOPTED: _____ AYES _____ NAYS _____

ATTEST: _____
Clerk of Council
Barbara J. Ortiz, CMC

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 33-17

BY: Mr. Salzgeber, Mr. Hanek and Mr. Ousley

AN EMERGENCY RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH SPECIALIZED CONSTRUCTION, INC. FOR THE 2017 ASPHALT ROAD PROGRAM IN AN AMOUNT NOT TO EXCEED \$138,920.00.

WHEREAS: The City of Brunswick received five (5) bids for the 2017 Asphalt Road Program (the "Program"), in accordance with public bidding requirements, for asphalt resurfacing and base repairs on portions of Rocklyn Drive, Jefferson Avenue, Ganyard Drive and Charles Drive;and

WHEREAS: The five (5) received public bidswere opened on May 3, 2017 with Specialized Construction, Inc. determined to be the lowest and best bidder.

WHEREAS: THE COUNCIL OF THE CITY OF BRUNSWICK HEREBY RESOLVES:

SECTION 1: That the City Manager, with the approval of the Law Director, is hereby authorized and directed to enter into an Agreement with Specialized Construction, Inc., the lowest and best bidder, for the 2017 Asphalt Road Program in an amount not to exceed \$138,920.00.

SECTION 2: That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation ofthe public peace, property, health, safety or welfare, and for the additional reason that immediate passage is necessary for completionof the Project during the 2017 construction season. Therefore, the same shall be in full force and effect from and after its passage by the required number of votes or from the earliest time allowed by law.

PASSED: 1st Reading_____

Rules Suspended: AYES _____ NAYS _____

ADOPTED: _____ AYES _____ NAYS _____

ATTEST: _____
Clerk of Council
Barbara J. Ortiz, CMC

THE CITY OF BRUNSWICK

PROPOSED LEGISLATION



DATE: 05/08/2017

TO: Vice Mayor Patricia Hanek and Members of City Council

FROM: Carl S. DeForest, Acting City Manager
Paul Barnett

COPY: Mayor Ron Falconi

LEGISLATION: **RES. NO. 34-17** - An emergency resolution authorizing the City Manger to enter into an agreement with Konstruction King, Inc. for the 2017 Concrete Repair Program in an amount no to exceed \$571,120.00 - **1st Reading** (To be brought from Services, Utilities, Technologies & Cable Committee, Administration/Matt Jones)

BACKGROUND: Authorization for public bid granted by City Council motion on 2/27/17

PURPOSE AND EXPLANATION: Project will facilitate the performance of concrete slab, curb, and curb ramp repairs at various locations throughout the city. The purpose of the project will be the removal and replacement of deteriorated concrete pavement slabs on residential streets. This project is being funded with Road Levy dollars.

IMPLEMENTATION SCHEDULE: The project is anticipated to commence in June and achieve final completion in September.

FINANCIAL INFORMATION: 2017 Concrete Repair Program - - - 332-0473-56881/332-0473-56881 - - 571120

FINANCIAL SUMMARY: \$571,120.00 which includes both construction and inspection costs.

RECOMMENDED ACTION:

One Reading	Yes
Two Readings	No
Three Readings	No
Emergency	Yes
Suspension of Rules	Yes

If emergency or suspension of the rules, why the request?
It is requested that legislation is passed by emergency measure with suspension of the rules for the immediate preservation of the public peace, property, health, safety or welfare, and providing

for the usual daily operation of a municipality, and for the further reason that this project may commence and be completed during the 2017 construction season.

**ADDITIONAL
INFORMATION:**

BID TABULATION
2017 CONCRETE REPAIR PROGRAM
CITY OF BRUNSWICK
DATE: MAY 3, 2017

CVE JOB NO. 17099 Engineer's Estimate \$630,000.00

	DESCRIPTION	UNIT	QTY.	KONSTRUCTION KING, INC.		A&J CEMENT CONTRACTORS, INC.		FABRIZI TRUCKING & PAVING CO., INC.	
				UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
1	7" CONCRETE SLAB REPAIR	SY	6,075	\$80.00	\$486,000.00	\$78.00	\$473,850.00	\$77.00	\$467,775.00
2	7" CONCRETE JOINT REPAIR	SY	320	\$81.00	\$25,920.00	\$85.00	\$27,200.00	\$80.00	\$25,600.00
3	ODOT 304 AGGREGATE BASE	CY	400	\$25.00	\$10,000.00	\$30.00	\$12,000.00	\$40.00	\$16,000.00
4	SUBGRADE REMOVAL AND REPLACEMENT	CY	600	\$15.00	\$9,000.00	\$20.00	\$12,000.00	\$30.00	\$18,000.00
5	CONCRETE WALK	SF	1,000	\$5.50	\$5,500.00	\$6.00	\$6,000.00	\$5.00	\$5,000.00
6	CURB RAMP	SF	1,000	\$8.00	\$8,000.00	\$9.00	\$9,000.00	\$10.00	\$10,000.00
7	CONCRETE DRIVE APRON	SF	700	\$6.00	\$4,200.00	\$6.00	\$4,200.00	\$7.50	\$5,250.00
8	MANHOLE OR CATCH BASIN CASTING ADJUSTED TO GRADE	EACH	15	\$300.00	\$4,500.00	\$300.00	\$4,500.00	\$450.00	\$6,750.00
9	CASTING ADJUSTED TO GRADE	EACH	10	\$100.00	\$1,000.00	\$200.00	\$2,000.00	\$300.00	\$3,000.00
10	CATCH BASIN OR MANHOLE RECONSTRUCTED	EACH	10	\$700.00	\$7,000.00	\$800.00	\$8,000.00	\$750.00	\$7,500.00
11	4" UNDERDRAIN	LF	2,500	\$3.00	\$7,500.00	\$4.00	\$10,000.00	\$7.00	\$17,500.00
12	MISCELLANEOUS METAL	LBS	5,000	\$0.50	\$2,500.00	\$1.00	\$5,000.00	\$1.50	\$7,500.00
	TOTAL PROJECT COST			TOTAL	\$571,120.00	TOTAL	\$573,750.00	TOTAL	\$589,875.00
	COMPLETION BY AUGUST 31, 2017			DAYS TO COMPLETE: 60	EARLIEST START DATE: JULY 15, 2017	DAYS TO COMPLETE: 75 DAYS	EARLIEST START DATE: 6/19/2017	DAYS TO COMPLETE: 90 DAYS	EARLIEST START DATE: 8/1/2017

	DESCRIPTION	UNIT	QTY.	DENES CONCRETE, INC.		CATTS CONSTRUCTION, INC.		ECLIPSE CO., LLC	
				UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE	UNIT PRICE	TOTAL PRICE
1	7" CONCRETE SLAB REPAIR	SY	6,075	\$80.00	\$486,000.00	\$84.75	\$514,880.55	\$70.00	\$425,250.00
2	7" CONCRETE JOINT REPAIR	SY	320	\$80.00	\$25,600.00	\$86.00	\$27,520.00	\$115.61	\$36,995.20
3	ODOT 304 AGGREGATE BASE	CY	400	\$35.00	\$14,000.00	\$15.00	\$6,000.00	\$61.50	\$24,600.00
4	SUBGRADE REMOVAL AND REPLACEMENT	CY	600	\$30.00	\$18,000.00	\$15.00	\$9,000.00	\$74.00	\$44,400.00
5	CONCRETE WALK	SF	1,000	\$6.00	\$6,000.00	\$5.00	\$5,000.00	\$7.00	\$7,000.00
6	CURB RAMP	SF	1,000	\$9.00	\$9,000.00	\$8.00	\$8,000.00	\$24.00	\$24,000.00
7	CONCRETE DRIVE APRON	SF	700	\$7.00	\$4,900.00	\$6.50	\$4,550.00	\$10.50	\$7,350.00
8	MANHOLE OR CATCH BASIN CASTING ADJUSTED TO GRADE	EACH	15	\$350.00	\$5,250.00	\$250.00	\$3,750.00	\$517.50	\$7,762.50
9	CASTING ADJUSTED TO GRADE	EACH	10	\$100.00	\$1,000.00	\$100.00	\$1,000.00	\$462.50	\$4,625.00
10	CATCH BASIN OR MANHOLE RECONSTRUCTED	EACH	10	\$750.00	\$7,500.00	\$500.00	\$5,000.00	\$832.00	\$8,320.00
11	4" UNDERDRAIN	LF	2,500	\$4.50	\$11,250.00	\$3.00	\$7,500.00	\$13.00	\$32,500.00
12	MISCELLANEOUS METAL	LBS	5,000	\$0.50	\$2,500.00	\$1.20	\$6,000.00	\$3.00	\$15,000.00
	TOTAL PROJECT COST			TOTAL	\$591,000.00	TOTAL	\$598,200.55	TOTAL	\$637,802.70
	COMPLETION BY AUGUST 31, 2017			DAYS TO COMPLETE: 45	EARLIEST START DATE: JULY 1, 2017	DAYS TO COMPLETE: 75	EARLIEST START DATE: JUNE 5, 2017	DAYS TO COMPLETE: *	EARLIEST START DATE: 10 DAYS FROM NTP

*Substantial Completion by 8/31/17

*Math Error
 **Actual Bid Submitted \$598,176.25

MEMO

Engineering Department



TO: City Council
FROM: Matthew M. Jones, P.E.
DATE: May 4, 2017
RE: 2017 Concrete Repair Program

On May 3, 2017, public bids were opened for the 2017 Concrete Repair Program. A tabulation of the bid results is attached for your reference. Six companies submitted bids for the project. The low bidder for the project was Konstruction King, Inc. at \$571,120.00. The Engineer's estimate including contingency was \$630,000.00. A&J Cement Contractors, Inc. was the second low bidder with a bid of \$573,750.00.

This project will facilitate the repair of approximately 6,400 square yards of concrete roadway panels and joints at various locations on residential streets throughout the city. The bids included allotments for base repairs, curb ramps, underdrain, casting adjustments and catch basin / manhole reconstruction to be used as needed. A listing of the repairs included in the bid is attached for reference as well.

Road levy funds are being utilized to complete the proposed project.

CVE staff has contacted a sampling of municipal references provided by Konstruction King. The reference check did not find any reoccurring issues with Konstruction King. Two municipalities were contacted regarding three separate projects, and all characterized them as an above average contractor. Additionally, Konstruction King was the contractor on two recent City of Brunswick projects (Haddock Road Reconstruction Phase 4 and Blueberry Hill Reconstruction Phase 5), and performed both contracts to the City's satisfaction.

Based upon a review of the bid documents and other municipal references, it is my opinion that Konstruction King has the needed experience, personnel and equipment to successfully complete the work as bid and should be considered the lowest and best bidder for this project.

Therefore, I respectfully request that City Council consider emergency legislation to award a contract in the amount of \$571,120.00 to Konstruction King, Inc. to complete the 2017 Concrete Repair Program.

If you have any questions or require any additional information please contact me at your convenience.

Attachments

C: Carl DeForest, Acting City Manager
Paul Barnett, Service Director
Todd Fischer, Finance Director
Ken Fisher, Law Director

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. _____

BY:

AN EMERGENCY RESOLUTION AUTHORIZING THE CITY MANAGER
TO ENTER INTO AN AGREEMENT WITH KONSTRUCTION KING, INC.
FOR THE 2017 CONCRETE REPAIR PROGRAM IN AN AMOUNT NOT TO
EXCEED \$571,120.00.

WHEREAS: The City of Brunswick received six (6) bids for the 2017 Concrete Repair Program (the "Program"), in accordance with public bidding requirements, for concrete repairs throughout the City; and

WHEREAS: The six (6) received public bids were opened on May 3, 2017, with Konstruction King, Inc. determined to be the lowest and best bidder.

WHEREAS: THE COUNCIL OF THE CITY OF BRUNSWICK HEREBY RESOLVES:

SECTION 1: That the City Manager, with the approval of the Law Director, is hereby authorized and directed to enter into an Agreement with Konstruction King, Inc., the lowest and best bidder, for the 2017 Concrete Repair Program in an amount not to exceed \$571,120.00.

SECTION 2: That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety or welfare, and for the additional reason that immediate passage is necessary for completion of the Project during the 2017 construction season. Therefore, the same shall be in full force and effect from and after its passage by the required number of votes or from the earliest time allowed by law.

PASSED: 1st Reading _____

Rules Suspended: AYES _____ NAYS _____

ADOPTED: _____ AYES _____ NAYS _____

ATTEST: _____

Clerk of Council
Barbara J. Ortiz, CMC

CITY OF BRUNSWICK, OHIO
RESOLUTION NO. 34-17

BY: Mr. Salzgeber, Mr. Hanek and Mr. Ousley

AN EMERGENCY RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH KONSTRUCTION KING, INC. FOR THE 2017 CONCRETE REPAIR PROGRAM IN AN AMOUNT NOT TO EXCEED \$571,120.00.

WHEREAS: The City of Brunswick received six (6) bids for the 2017 Concrete Repair Program (the "Program"), in accordance with public bidding requirements, for concrete repairs throughout the City; and

WHEREAS: The six (6) received public bids were opened on May 3, 2017, with Konstruction King, Inc. determined to be the lowest and best bidder.

WHEREAS: THE COUNCIL OF THE CITY OF BRUNSWICK HEREBY RESOLVES:

SECTION 1: That the City Manager, with the approval of the Law Director, is hereby authorized and directed to enter into an Agreement with Konstruction King, Inc., the lowest and best bidder, for the 2017 Concrete Repair Program in an amount not to exceed \$571,120.00.

SECTION 2: That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, property, health, safety or welfare, and for the additional reason that immediate passage is necessary for completion of the Project during the 2017 construction season. Therefore, the same shall be in full force and effect from and after its passage by the required number of votes or from the earliest time allowed by law.

PASSED: 1st Reading _____

Rules Suspended: AYES _____ NAYS _____

ADOPTED: _____ AYES _____ NAYS _____

ATTEST: _____

Clerk of Council
Barbara J. Ortiz, CMC

THE CITY OF BRUNSWICK

PROPOSED LEGISLATION



DATE: 05/08/2017

TO: Vice Mayor Patricia Hanek and Members of City Council

FROM: Carl S. DeForest, Acting City Manager

COPY: Mayor Ron Falconi

LEGISLATION: **ORD. NO. 35-17** - An ordinance establishing the position of Part-Time Lifeguard Opener in the Department of Parks and Recreation - **1st Reading** (To be brought from Parks, Recreation & Community Committee, *Administration/John Piepsny*)

BACKGROUND: The City Recreation Center has had the position of lifeguard for many years. Due to a national trend of a shortage of lifeguard, we are asking for an opener position to be created that would have a higher starting pay for those lifeguards willing to work the opening hours prior to 7:45am shift start time.

PURPOSE AND EXPLANATION: The opener lifeguard position would be created, along with a new pay range, to attract certified lifeguards for the early morning shifts.

IMPLEMENTATION SCHEDULE: Once adopted by City Council

FINANCIAL INFORMATION:

FINANCIAL SUMMARY: This legislation creates a position title. This legislation has no financial impact. A separate piece of legislation would need to be adopted a pay range for this position.

Any and all scheduling of recognized positions are subject to the appropriation limits set forth in the adopted budget by Council.

RECOMMENDED ACTION:

One Reading	No
Two Readings	No
Three Readings	Yes
Emergency	No
Suspension of Rules	No

If emergency or suspension of the rules, why the request?

It would be the recommendation to adopt this resolution to create the opener lifeguard position.

**ADDITIONAL
INFORMATION:**

CITY OF BRUNSWICK, OHIO
ORDINANCE NO. 35-17

BY: Mr. Abella, Mr. Capretta and Mr. Salzgeber

AN ORDINANCE ESTABLISHING THE POSITION OF PART-TIME
LIFEGUARD OPENER IN THE DEPARTMENT OF PARKS AND
RECREATION.

WHEREAS: The Department of Parks and Recreation has requested approval to create a part-time Lifeguard Opener position for the Brunswick Community Recreation and Fitness Center (the “Rec Center”).

WHEREAS: THE COUNCIL OF THE CITY OF BRUNSWICK HEREBY ORDAINS:

SECTION 1: That the position of part-time Lifeguard Opener within the Department of Parks and Recreation is hereby established, subject to a pay range to be established by Ordinance and approved by the City Manager.

SECTION 2: This Ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED: 1st Reading _____

2nd Reading _____

3rd Reading _____

ADOPTED: AYES _____ NAYS _____

ATTEST: _____
Clerk of Council
Barbara Ortiz, CMC

THE CITY OF BRUNSWICK

PROPOSED LEGISLATION



DATE: 05/08/2017

TO: Vice Mayor Patricia Hanek and Members of City Council

FROM: Carl S. DeForest, Acting City Manager

COPY: Mayor Ron Falconi

LEGISLATION: **ORD. NO. 36-17** - An ordinance establishing the pay range for the position of Part-Time Lifeguard Opener in the Department of Parks and Recreation - **1st Reading** (To be brought from Parks, Recreation & Community Committee, *Administration/John Piepsny*)

BACKGROUND: This resolution would be created to allow for a pay range to be established for the Life Guard Opener position.

PURPOSE AND EXPLANATION: This resolution will be created to establish a pay range for the Life Guard Opener position.

IMPLEMENTATION SCHEDULE: Once adopted by City Council after 3 readings and 30 days it would be implemented.

FINANCIAL INFORMATION:

FINANCIAL SUMMARY: The pay range would fall within the City Council 2017 approved budget.

RECOMMENDED ACTION:

One Reading	No
Two Readings	No
Three Readings	Yes
Emergency	No
Suspension of Rules	No

If emergency or suspension of the rules, why the request?
It would be the recommendation of the Parks and Recreation Director to pass this resolution following 3 readings and 30 days.

ADDITIONAL INFORMATION:

CITY OF BRUNSWICK, OHIO

ORDINANCE NO. 36-17

BY: Mr. Abella, Mr. Capretta and Mr. Salzgeber

AN ORDINANCE ESTABLISHING THE PAY RANGE FOR THE POSITION OF PART-TIME LIFEGUARD OPENER IN THE DEPARTMENT OF PARKS AND RECREATION.

WHEREAS: Council has established the position of part-time Lifeguard Opener in the Department of Parks and Recreation by separate Ordinance; and

WHEREAS: Council wishes to establish a pay range for the position of part-time Lifeguard Opener in the Department of Parks and Recreation.

WHEREAS: THE COUNCIL OF THE CITY OF BRUNSWICK HEREBY ORDAINS:

SECTION 1: The following pay range is hereby established, subject to annual appropriations by City Council:

<u>POSITION</u>	<u>RANGE</u>
Lifeguard Opener	\$10.00/hour - \$16.00/hour

SECTION 2: That this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

PASSED: 1st Reading_____

2nd Reading_____

3rd Reading_____

ADOPTED: _____ AYES _____ NAYS _____

ATTEST: _____

Clerk of Council
Barb Ortiz

NOTICE TO LEGISLATIVE
AUTHORITY

OHIO DIVISION OF LIQUOR CONTROL
6606 TUSSING ROAD, P.O. BOX 4005
REYNOLDSBURG, OHIO 43068-9005
(614)644-2360 FAX(614)644-3166

TO

61433920260		STCK		MORAN FOODS LLC	
PERMIT NUMBER		TYPE		DBA SAVE A LOT	
ISSUE DATE				1085 PEARL RD	
09 16 2016				BRUNSWICK OH 44212	
FILING DATE					
C1 C2					
PERMIT CLASSES					
52	022	C	F18358		
TAX DISTRICT			RECEIPT NO.		

FROM 04/21/2017

PERMIT NUMBER		TYPE	
ISSUE DATE			
FILING DATE			
PERMIT CLASSES			
TAX DISTRICT			RECEIPT NO.



MAILED 04/21/2017

RESPONSES MUST BE POSTMARKED NO LATER THAN.

05/22/2017

IMPORTANT NOTICE

PLEASE COMPLETE AND RETURN THIS FORM TO THE DIVISION OF LIQUOR CONTROL
WHETHER OR NOT THERE IS A REQUEST FOR A HEARING.

REFER TO THIS NUMBER IN ALL INQUIRIES

C STCK 6143392-0260

(TRANSACTION & NUMBER)

(MUST MARK ONE OF THE FOLLOWING)

WE REQUEST A HEARING ON THE ADVISABILITY OF ISSUING THE PERMIT AND REQUEST THAT
THE HEARING BE HELD ☐ IN OUR COUNTY SEAT. ☐ IN COLUMBUS.

WE DO NOT REQUEST A HEARING. ☐

DID YOU MARK A BOX? IF NOT, THIS WILL BE CONSIDERED A LATE RESPONSE.

PLEASE SIGN BELOW AND MARK THE APPROPRIATE BOX INDICATING YOUR TITLE:

(Signature)

(Title)- ☐ Clerk of County Commissioner

(Date)

☐ Clerk of City Council

☐ Township Fiscal Officer

CLERK OF BRUNSWICK CITY COUNCIL
4095 CENTER RD
BRUNSWICK OHIO 44212

For Questions call
(614) 644-3162
Office Hours -
8:00 a.m. - 5:00 p.m.

Ohio Department of Commerce - Division of Liquor Control
6606 Tussing Road, Reynoldsburg, Ohio 43068-9005
<http://www.com.ohio.gov/liqr>

APPLICATION FOR CHANGE OF CORPORATE STOCK OWNERSHIP
PROCESSING FEE \$100.00 CAUTION: ALLOW 10 TO 12 WEEKS FOR PROCESSING



PERMIT HOLDER REQUESTS APPROVAL OF THE DIVISION OF LIQUOR CONTROL OF THE FOLLOWING TRANSFER(S) OF STOCK

Permit Holder Name

MORAN FOODS, LLC

Liquor Permit Number(s)

*SEE ATTACHED LIST

Permit Premises Address

*SEE ATTACHED LIST

Email
Address:

Attorney's Name, Address and Telephone Number (If represented)

ANNA M. WIAND, ESQ., GRAYROBINSON, P.A., 401 E. JACKSON ST., STE. 2700, TAMPA, FL 33602 (813) 273-5000

Is Stock Traded on a National Exchange? ☐ YES ☒ NO

If YES, give Name of Exchange and Symbol

Please be advised that any social security numbers provided to the Division of Liquor Control in this application may be released to the Ohio Department of Public Safety, the Ohio Department of Taxation, the Ohio Attorney General, or to any other state or local law enforcement agency if the agency requests the social security number to conduct an investigation, implement an enforcement action, or collect taxes.

SECTION A: PREVIOUS 5% OR MORE STOCKHOLDERS

Name	BIRTHDATE	Social Security Number/FTI#	Number of Shares Issued For Stock Transfer Only (NOT Percentages)
1) SUPERVALU, INC.		FEIN: [REDACTED]	1,000
2)			
3)			
4)			
5)			
SECTION B: REVISED 5% OR MORE STOCKHOLDERS			
Name	BIRTHDATE	Social Security Number/FTI#	Number of Shares Issued For Stock Transfer Only (NOT Percentages)
1) SAL ACQUISITION CORPORATION		FEIN: [REDACTED]	1,000
2)			
3)			
4)			
5)			

NOTE: If any Stockholder is a business entity, that entity must list it's federal tax identification number (FTI #) above.

TOTAL NUMBER OF
SHARES ISSUED

1,000

LIST THE TOP FOUR OFFICERS OF THE CAPTIONED CORPORATION. IF AN OFFICE IS NOT HELD, PLEASE INDICATE BY WRITING "NONE"

	Social Security Number	Birthdate
1) CEO/President ERIC A.J. CLAUS	[REDACTED]	[REDACTED]
2) Vice-President NANCY E. CHAGARES	[REDACTED]	[REDACTED]
3) Secretary JOHN P. BREEDLOVE	[REDACTED]	[REDACTED]
4) Treasurer MICHAEL D. COLLINS	[REDACTED]	[REDACTED]